



## COMMENT SUMMARY

### **Clark Fork River Cleanup Closure Rules:**

Closing a portion of the Clark Fork River through Grant-Kohrs Ranch National Historic Site from October 2018 to October 2020 to ensure public safety while DEQ performs cleanup activities

October 2018

### **Summary of Public Comment**

FWP received 7 emailed comments during the public comment period (August 13 through September 11, 2018) regarding the proposed biennial rule to close a portion of the Clark Fork River through Grant-Kohrs Ranch (Appendix). The 7 comments were (one each) from Deer Lodge, Elliston, and Missoula, Montana; one was from Washington state and 3 did not indicate location. One comment supported the biennial closure rule, 5 opposed the rule, and one did not indicate support or opposition. (One of the comments in opposition was signed by 6 people.) Some people offered alternative actions.

### **Themes in Public Comment**

Comments are organized by category (The "Commenter #" is the Commenter # in the Appendix, sometimes with paragraph number/s also included). The themes are followed by parts of actual comments (in some cases the whole comment) to illustrate the broader category.

#### **Category A: Public Safety**

*Commenter 1a: What type of "danger" is there regarding floating and fishing that stretch?*

#### **Category B: Length and Timing of River Closure**

*Commenter 2: Have a shorter closure (Oct 2018 to May 2019), then in spring 2019 re-assess if portions could be opened for floating.*

*Commenter 5: I know of no more remarkable and abundant fishery where healthy browns rest under the cutback of the high grass around Grant-Kohrs. Please do not close this remarkable fishery.*

*Commenter 6 (para 1): Could see temporary closures on days someone might be at risk, but to close it permanently for 2 years is ridiculous. Question why it would need to be closed in summer months. Best time to work on this rehab would be winter months when there is less impact on the land not being worked on.*

*Commenter 7: Encourage Commission to urge DEQ to limit closure to the least amount of time and open the section of river as soon as it is feasible.*

#### **Category C: Economic Impact of Closure**

*Commenter 3a (para 6 & 7): Collectively, we make up a group of outfitters and guides who earn a large part of our income on the upper river. Fiscal implications of the proposed closure to outfitting businesses*

are potentially drastic, as is the impact on the community of Deer Lodge. We outfitters and guides make a large contribution to the small community's economy.

#### **Category D: DEQ Process**

*Commenter 3a (para 8): We were under the assumption that the clean-up would keep to a downstream progression [but this hasn't happened], and that we would have ample time to form a unified position on the water near Grant-Kohrs.*

#### **Category E: Habitat and Fishery**

*Commenter 3a (para 10 & 11): Strongly urge that all organizations involved in the next phase of the clean-up take time to evaluate the fishery in Phase 5-6 before implementing or allowing any reclamation to take place on the Grant-Kohrs stretch. The restored Phase 5-6 stretch is currently a desert, virtually devoid of trout, and certainly a skeleton of what it was as a fishery before the efforts began. (The last formal fisheries survey in this reach was completed in 2009; the 2015 survey was likely compromised by the fact that restoration efforts had already begun.) If the same reclamation methodology is implemented in the Grant-Kohrs reach, we risk losing an immensely important resource, as well as authentic, fluvial habitat that houses trophy trout. Is not a key goal and component of NRDP's restoration plan, the fishery's health? . . . I urge all involved parties to halt all closures and rehab until a legitimate fisheries study can be performed on the most recently restructured stretch of river. If the fishery has not returned to its previous strong state there, why would it be a wise use of funds to replicate a similar strategy downstream? There is no reasonable answer to this question.*

*Commenter 5: Do not harm this healthy fishery with DEQ efforts at clean up.*

*Commenter 6 (para 2 & 3): VERY concerned about what has happened up in the restored portions of phase 5-6. The fishery up there is virtually dead. No trout in in an area where they were once plentiful. Indicates that something is not working right and the DEQ and FWP need to figure that out before killing off another stretch of our river. . . . Seen with my own eyes what that poor river has endured and have also seen it heal itself over the years. Please don't jeopardize that without first figuring out what went wrong up stream.*

#### **Category F: Side Effects of Closure on River Use**

*Commenter 7: Guides and outfitters use this area along with the public; closing this section will most definitely create higher use in areas adjacent to the closure. This closure will essentially close the river to floating from Arrowstone Park in Deer Lodge to the State land access point near the Veterinary Clinic north of Deer Lodge on the frontage road. This will include not only the Grant Kohrs ranch but the entirety of the section due to access limitations. This should be considered when passing the closure and alternatives to accessing the area should be considered along with the closure.*

# APPENDIX- All Comments

Commenter #	Comment	# people represented
1a	I recently received the email about the closure of the Upper Clark Fork. And was wondering what type of "danger" their is regarding floating and fishing in That stretch?	1
1b	Thank you for this information. While I would miss having this stretch as an option, I do see and understand the concerns of the construction area. I must have mis-read the statement initially to have said that the closure may also be permanent.	
2	I appreciate and understand the need to close the CFR through Grant Kohrs Ranch during the cleanup work; public safety should always be a top priority. However, since this stretch of river (and the ranch) experience much greater use and tourism than the upper phases of the CFR already remediated by DEQ, I request that FWP closes the river from October 2018 to May 2019 and then reassess the status of the cleanup effort and closures at that time. Perhaps certain parts of the river will be accessible for floating or the ranch will be safe for tourists within certain portions of the ranch for the summer. It seems that reevaluating the closure in the spring of 2019 will inject more flexibility into the process and minimize the impact to local residents and tourists. Due to the frequency of FWP Commission meetings, I do not believe it unreasonably burdensome to close the CFR for a shorter length of time and then reassess as the work progresses through Phases 15 and 16.	1
	Thank you for your time and consideration.	
3a	What follows is a letter that I sent to the Clark Fork Coalition, DEQ, FWP, and NRDP. Please consider it my response, as well, to your request for comments. I appreciate your efforts.	6
	2 August 2018	
	Dear CFC, DEQ, NRDP, and FWP:	
	Thank you for allowing me to take part in the float on Tuesday [July 30] from Arrowstone Park in Deer Lodge to the Vet Clinic. I valued the opportunity to hear from the major players in this complicated restoration endeavor, and I further appreciated the your respective attempts to include me, at least on a tertiary level, in the converstation.	
	As I said on Tuesday, I have been angling on the stretch of river through Grant-Kohrs for nearly twenty years, and guiding and outfitting on it for nearly that long. As a young fisherman and reader growing up in Michigan, I studied writing by the late author and Deer Lodge resident Gary LaFontaine, whose books <i>Caddisflies</i> and <i>The Dry Fly</i> first clued me in to the angling riches of the upper Clark Fork. Over the years it has become clear to me that only a select few anglers share my passion for the place; this is largely for the better, as a such a fishery can only sustain so much pressure. Though most folks who enjoy this resource do so covertly, we are a passionate bunch, and I am honored to help voice their concerns and positions.	

## APPENDIX- All Comments

	<p>At a certain point on Tuesday, I had to laugh at the irony of my own stance: There I was—while floating past discarded aluminum baseball bats, tires, discarded rebar and bricks—attempting to extoll the virtues of a fishery to scientists, hydrologists and biologists whose knowledge of the ecosystem's illnesses far exceeds my own. And yet I would assert that, from a guiding perspective, my knowledge of the stretch is quite intimate, equaled by only a few others who have also floated it over a hundred times. Collectively, we make up a group of outfitters and guides who earn a large part of our income on the upper river, and we don't continue to make the 150 mile round trip drive to Deer Lodge because we enjoy filling up the gas tank each day; we do it because the body of water offers what our clients continue to call world-class opportunities to catch and release trophy Brown trout on small water. (A document containing client testimonials, photos and is being compiled and will be attached.)</p>	
	<p>As I began to detail on Tuesday, the fiscal implications of the proposed closure to outfitting businesses such as my own (and those owned by [4 outfitters' names] and others) are potentially drastic—as is the impact on the community of Deer Lodge. We regularly purchase fuel in town, stop at the A&amp;W for burgers on the way home, hire a local shuttle driver, etc. As part of an industry that generates 7.1 billion dollars in consumer spending annually, 2.2 billion in wages and salaries, and 286 million in state and local revenue, we outfitters and guides make a large contribution to the small community's economy.</p>	
	<p>Some may wonder why we are voicing our concerns at this late juncture; I can only answer that, for better or worse, we were under the assumption that the clean-up would keep to a downstream progression, and that we would have ample time to form a unified position on the water near Grant-Kohrs.</p>	
	<p>I realize that “ample time” is a loaded phrase in this endeavor. The DEQ, NRD, and other parties are attempting to undo, in the course of a couple of decades, damage that was over a century in the making.</p>	
	<p>And yet, I write today to strongly urge that all organizations involved in the next phase of the clean-up take ample time to evaluate the fishery in Phase 5-6 before implementing or allowing any reclamation to take place on the Grant-Kohrs stretch. The restored Phase 5-6 stretch is currently a desert, virtually devoid of trout, and certainly a skeleton of what it was as a fishery before the efforts began. (The last formal fisheries survey in this reach was completed in 2009; the 2015 survey was likely compromised by the fact that restoration efforts had already begun.) If the same reclamation methodology is implemented in the Grant-Kohrs reach, we risk losing an immensely important resource, as well as authentic, fluvial habitat that houses trophy trout. Is not a key goal and component of NRDP's restoration plan, the fishery's health?</p>	
	<p>In closing, as a lover of wild trout and rivers, as a tax paying owner of this resource, and as stake-holding member of the outdoor community that is a seminal component of our great state's economy, I urge all involved parties to halt all closures and rehab until a legitimate fisheries study can be performed on the most recently restructured stretch of river. If the fishery has not returned to its previous strong state there, why would it be a wise use of funds to replicate a similar strategy downstream? There is no reasonable answer to this question.</p>	

## APPENDIX- All Comments

3b	The comments below [#3a above] were written by me and officially signed off on by all other parties.	
4	I co-chaired a graduate thesis research project on the Grant-Kohrs Ranch back in 1987-88 era by then graduate student Dr Gary Ray,,,re heavy metals stored in river banks, and released [periodic peak releases] wherever there was greater than average flooding waters passing through that part of the Clark Fork River system. That thesis is available at UM Mansfield library.	1
5	I'd like to thank those involved for inviting public comment on the proposed closure of a few miles of the upper Clark Fork River in Powell Co. I also appreciate, hopefully, the well intended efforts to clean up the area and restore a native habitat.	1
	On those grounds, however I encourage continued input from those most intimately knowledgeable of that beautiful place- those that fish it, walk it, float it, those whose watchful eyes that have spent countless hours with their attention zeroed in on the heartbeats and flutters and fins that pulse the place.	
	Once or twice a year I vacation there from my home in Washington State. It's a pilgrimage to see both friends and fish in Missoula, and every time pay homage to the remarkable brown trout that inhabit this considered section of the upper Clark.	
	As a bamboo fly rod maker, and impassioned champion of rivers, I know of no more remarkable and abundant fishery where healthy browns rest under the cutback of the high grass around Grant-Kohrs.	
	I beg of the DEQ in their hopefully well intentioned efforts and restoration, that they please do not close this remarkable fishery, and at the very least do not harm this healthy fishery with their efforts at clean up.	
6	I strongly oppose the proposed closure of the Clark Fork River running through the Grant Kohrs Ranch. I could potentially see very temporary closures on days someone might be at risk, but to close it permanently for 2 years is ridiculous. I also question why it would need to closed at all in the summer months anyway. The best time to work on this rehab would be in the winter months when there less impact on the land not being worked on.	1
	I am also VERY concerned about what has happened up in the restored portions of phase 5-6. The fishery up there is virtually dead. No trout in in an area where they were once plentiful. This indicates to me that something is not working right and the DEQ and FWP need to figure that out before killing off another stretch of our river.	
	I was born and raised in Deer Lodge. I am 5th generation Montanan and 3 of those generations being in the Deer Lodge valley. I have seen with my own eyes what that poor river has endured and I have also seen it heal itself over the years. Please don't jeopardize that without figuring out what went wrong up stream first. It would be a HUGE hit to the local Deer Lodge economy and the state of Montana.	

## APPENDIX- All Comments

7	<p>As an Fishing outfitter in the Upper Clark fork drainage I appreciate the work being done in the Upper Clark Fork. I do have concerns about the river closure addressed in this closure. I encourage the Commission to urge the DEQ to limit the closure to the least amount of time as possible and open the section of river as soon as it is feasible. Guides and outfitters use this area along with the public and by closing this section it will most definitely create higher use in areas adjacent to the closure. This closure will also essentially close the river to floating from Arrowstone Park in Deer Lodge to the State land access point near the Veterinary Clinic north of Deer Lodge on the frontage road. This will include not only the Grant Kohrs ranch but the entirety of the section due to access limitations. This should be considered when passing the closure and alternatives to accessing the area should be considered along with the closure.</p>	1
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